

Reviewed by TLR
12/26/12

Wetlands Bureau Decision Report

Decisions Taken
12/17/2012 to 12/23/2012

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MINOR IMPACT PROJECT

2012-02711 REMILLARD, ROBERT
NEWBURY Sunapee Lake

Requested Action:

Impact 32 sq. ft. of lakebed to remove 4 rocks adjacent to the existing 6 ft. x 30 ft. crib pier on an average of 106 ft. of frontage along Lake Sunapee in Newbury.

Conservation Commission/Staff Comments:

Con Com did not sign wetlands application. No comments from Con Com by Oct 30, 2012

APPROVE PERMIT:

Impact 32 sq. ft. of lakebed to remove 4 rocks adjacent to the existing 6 ft. x 30 ft. crib pier on an average of 106 ft. of frontage along Lake Sunapee in Newbury.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised November 6, 2012, as received by the NH Department of Environmental Services (DES) on November 29, 2012 with the exception that the 4 rocks shall not be deposited in the lakebed.
2. The 4 rocks to be removed shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. This permit does not allow for any dredging of material beyond the 4 rocks specified on the plan.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minor impact project per Rule Env-Wt 303.03(g), dredge of less than 20 cu yd of material from public waters.
2. The NH Natural Heritage Bureau has requested that the rocks be moved to locations without aquatic vegetation to avoid potential impacts to state-endangered American water-awlwort which is reported to exist on the site.
3. To avoid adverse impacts to American water-awlwort that may be present along the frontage this permit has been conditioned to prohibit the placement of the 4 rocks in the lakebed.

2012-02713 CARON, KIMBERLY/RANDALL
GOFFSTOWN Unnamed Wetland

Requested Action:

Dredge and fill 7,600 square feet of palustrine forested wetlands for construction of a shared driveway providing access to two (2) existing lots of record.

APPROVE PERMIT:

Dredge and fill 7,600 square feet of palustrine forested wetlands for construction of a shared driveway providing access to two (2) existing lots of record.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc., sheet 1 of 3 dated July 29, 2012 and sheets 2 and 3 of 3 dated July 28, 2012, as received by the DES on October 9, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. This is a new application/approval to address changes in the project design as previously approved under Wetlands Bureau no. #2011-03194. The permit will take place of that file and all impacts shall be in accordance with the plans referenced in Wetlands Permit no. 2012-02713.
2. DES Staff inspected the site on September 23, 2011 (See file no. 2011-02228).
3. The submittal received by DES on February 17, 2012, confirmed areas previously disturbed as noted in file no. 2011-02228, are proposed for impact by driveway construction.
4. The application proposes driveway construction in the easement location determined in Court Document CARON V. BUSTEAD & BUSTEAD V. BAILEY (HCRD Book 8232 Page 0147).
5. Culvert sizing calculations were provided with the application.
6. DES received a request from the Conservation Commission ("GCC") to extend their comment period until after their December 19, 2012 meeting.
7. DES informed the GCC that they had missed their 14-day deadline to request an extension per RSA A:11, III.(b). (see file e-mail dated December 4, 2012).
8. DES has not received any additional comments from the GCC.
9. The submitted Natural Heritage Bureau report dated November 21, 2011, stated, "We currently have no recorded occurrences for sensitive species near this project area. A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present."
10. This permit is contingent on a post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. The additional 1,550 sq. ft. of impact was requested as a result of negotiations with the current landowner (of land with the easement) and abutter to the south.
13. The new design will reduce direct impacts to the underlying landowner's property.
14. DES received a permission letter from the abutting property owner allowing work within 20 feet of the property line. Additionally, DES received a letter from the landowner approving the new driveway design within the easement.

15. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

16. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2012-02732 HUPCEY, JUDITH
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove an existing seasonal docking structure and install two 6 ft. x 40 ft. seasonal docks connected by a 6 ft. x 12 ft. seasonal walkway in a "U" shaped configuration, on an average of 202 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Permanently remove an existing seasonal docking structure and install two 6 ft. x 40 ft. seasonal docks connected by a 6 ft. x 12 ft. seasonal walkway in a "U" shaped configuration, on an average of 202 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on October 29, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The existing seasonal dock shall be completely removed prior to the construction of the permitted docking system.
5. The seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the criteria for minimum impact docking structures.
2. The applicant has an average of 202 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2012-02845 SCHULTZ, FRANK/ROBERTA
STRAFFORD Bow Lake

Requested Action:

Retain a 6 ft. x 30 ft. seasonal dock and a 4 ft. 2 in. x 24 ft. 8 in. seasonal dock with a 6 ft. x 9 ft. 9 in. seasonal "L" section on an average of 565 feet of shoreline frontage along Bow Lake, in Strafford.

Conservation Commission/Staff Comments:
Con Com did not sign Wet application

APPROVE AFTER THE FACT:

Retain a 6 ft. x 30 ft. seasonal dock and a 4 ft. 2 in. x 24 ft. 8 in. seasonal dock with a 6 ft. x 9 ft. 9 in. seasonal "L" section on an average of 565 feet of shoreline frontage along Bow Lake, in Strafford.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated November 30, 2012, as received by the NH Department of Environmental Services (DES) on December 3, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only docking structures on this water frontage and all portions of the structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of either pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 4 slip docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 565 feet of shoreline frontage along Bow Lake.
6. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2012-02875 SCOTT, DIANA
WOLFEBORO Lake Winnepesaukee

Requested Action:

Relocate two rocks and construct three 6 ft. x 35 ft. seasonal docks connected by two 6 ft. x 12 ft. seasonal walkways in a "W" shaped configuration, install two seasonal boatlifts in the center two slips, install a 14 ft. x 30 ft. seasonal canopy over one boatlift all to be accessed by a 6 ft. x 38 ft. permanent walkway from the reference line to the docking structure on an average of 337 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

Conservation Commission/Staff Comments:
Con Com did not sign Wet application

APPROVE PERMIT:

Relocate two rocks and construct three 6 ft. x 35 ft. seasonal docks connected by two 6 ft. x 12 ft. seasonal walkways in a "W" shaped configuration, install two seasonal boatlifts in the center two slips, install a 14 ft. x 30 ft. seasonal canopy over one boatlift all to be accessed by a 6 ft. x 38 ft. permanent walkway from the reference line to the docking structure on an average of 337 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 10, 2012, as received by the NH Department of Environmental Services (DES) on October 25, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the information submitted on the plans by the applicant does not accurately represent the existing conditions.
4. These shall be the only docking structure on this water frontage and all portions of the structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall also be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
7. Seasonal boatlifts shall be removed from the lake for the non-boating season.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 4 slip docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 337 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2012-02979 LAKES REGION CONSERVATION TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Install a 3 pile ice cluster adjacent to an existing U-shaped, permanent docking structure on Ragged Island, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com did not sign Wetlands Application

APPROVE PERMIT:

Install a 3 pile ice cluster adjacent to an existing U-shaped, permanent docking structure on Ragged Island, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans dated October 2012, as received by the NH Department of Environmental Services (DES) on November 13, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The ice cluster shall be located no more than 12 feet from the existing docking structure.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided,

and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), installation of new tie-off piles, ice clusters, or dolphins which do not, by their presence, add boat slips to an existing docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2012-01536 GOLDEN KS LLS
NORTH HAMPTON Unnamed Wetland

Requested Action:

The applicant requests to amend the permit by reducing the subdivision to a two-lot subdivision at the request of the North Hampton Planning Board.

APPROVE AMENDMENT:

Dredge and fill a total of 430 square feet of palustrine wet meadow to include 310 square feet of permanent impact and 120 square feet of temporary impact for the installation of a 12-inch HDPE culvert for the construction of a driveway to a single family residential lot on approximately 4.361 acres as part of a two-lot subdivision of 7.017 acres.

With Conditions:

1. All work shall be in accordance with the following plans by James Verra & Associates, Inc.:
 - a.) 'NHDES Subdivision' Plan (Sheet C-2) dated and revised through November 7, 2012 as received by the NH Department of Environmental Services (DES) on November 19, 2012; and,
 - b.) 'Detailed Wetland Impact Plan' dated May 25, 2012 as received by DES on June 13, 2012.
2. DES Southeast region staff (Portsmouth Office) shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wet meadow.
2. The impacts are necessary to access buildable upland; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur at the narrowest portion of wetlands; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-02760

CC RUSSO INC

BARTLETT

Requested Action:

Dredge and fill 470 square feet of an intermittent stream and associated wetland for the replacement of an existing 24" by 94' long culvert with a 24" by 50' long culvert. Work in jurisdiction includes the restoration of 220 square feet (44 linear feet) of the intermittent stream and associated forested wetland.

APPROVE PERMIT:

Dredge and fill 470 square feet of an intermittent stream and associated wetland for the replacement of an existing 24" by 94' long culvert with a 24" by 50' long culvert. Work in jurisdiction includes the restoration of 220 square feet (44 linear feet) of the intermittent stream and associated forested wetland.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc. entitled Wetland Impact Plan & Restoration Plan: Property of C.C. Russo dated August 29, 2012 as revised November 30, 2012 as received by the Department on December 18, 2012.
2. This permit is contingent upon the restoration of 220 of an intermittent stream and associated wetlands in accordance with plans by Ammonoosuc Survey Company, Inc. entitled Wetland Impact Plan & Restoration Plan: Property of C.C. Russo dated August 28, 2012 as received by the Department on October 15, 2012.
3. Restoration shall be completed by September 30, 2013.
4. Materials used to restore the stream channel must be similar to the natural stream substrate and shall not include angular rip-rap.
5. Mulch within the restoration area shall be straw.
6. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
7. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration area is constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary.
8. The qualified professional shall inspect the restoration area, and submit an initial monitoring report with photographs to DES within 20 days of the projected restoration compliance date, but in no event shall the initial monitoring report be submitted later than October 31, 2013.
9. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the restoration.
10. Wetland restoration area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
11. Work shall be done during periods of non-flow.

12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04 (ah) Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing culvert (94 linear feet) was installed without a wetlands permit. To maintain access to a gravel storage area, the applicant proposed replacing the existing culvert with a shorter culvert (50 linear feet). The remaining area, that was previously impacted without a permit, will be restored.
6. The proposed culvert was designed to safely pass the 50 year storm (24 hour duration).
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2012-03068
HAMPTON

RUSH, PAMELA

Requested Action:

Impact 125 sq. ft. (100 sf permanent & 25 sf temporary construction impacts) in the previously developed upland tidal buffer zone to construct a 10' x 10' pervious pavers pad to support a hot-tub and install underground utilities.

Conservation Commission/Staff Comments:

"The Hampton Conservation Commission does not oppose the granting of the wetlands permit for ... [this project]"

APPROVE PERMIT:

Impact 125 sq. ft. (100 sf permanent & 25 sf temporary construction impacts) in the previously developed upland tidal buffer zone to construct a 10' x 10' pervious pavers pad to support a hot-tub and install underground utilities.

With Conditions:

1. All work shall be in accordance with plans by Applicant dated October 30, 2012, as received by the NH Department of Environmental Services (DES) on November 26, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.

3. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-03124 FORST, KENNETH
MEREDITH Lake Winnepesaukee

Requested Action:

Repair "in kind" an existing 84 foot breakwater and associated 85 foot docking structure with no changes in dimensions or location, on Six Mile Island, Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com did not submit comments by December 19, 2012

APPROVE PERMIT:

Repair "in kind" an existing 84 foot breakwater and associated 85 foot docking structure with no changes in dimensions or location, on Six Mile Island, Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans dated November 20, 2012, as received by the NH Department of Environmental Services (DES) on November 30, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the previously approved dimensions.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

FORESTRY NOTIFICATION

2012-03056 AVERY, DAVID
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton, Tax Map #09 03, Lot #030

2012-03122 US FOREST SERVICE
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan, Tax Map: US Tracts 1017, Lot #1017

2012-03159 SKLARSKI, DENNIS
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield, Tax Map #420, Lot #060

2012-03182 BAYROOT LLC
CARROLL Unnamed Stream

COMPLETE NOTIFICATION:
Carroll, Tax Map #401, Lot #01

2012-03183 CHARLES, BRENT
CHARLESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Charlestown, Tax Map #240, Lot #2

2012-03207 HAWKING GRANTOR TRUST
NEW HAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
New Hampton, Tax Map #R08, Lot #003-000

2012-03234 FISCH, SUSANNA
ASHLAND Unnamed Stream

COMPLETE NOTIFICATION:
Ashland, Tax Map #8, Lot #1-11

2012-03235 PERLEY, JUDITH
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan, Tax Map #6, Lot #30

2012-03237 PRESBY, BRAD
BATH Unnamed Stream

COMPLETE NOTIFICATION:
Bath, Tax Map #R08, Lot #01

2012-03240 BAYROOT LLC
DIXVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Dixville, Tax Map #1626, Lots #9, 1

2012-03241 BAYROOT LLC
DIX GRANT Unnamed Stream

COMPLETE NOTIFICATION:
Dix Grant, Tax Map #1626, Lots #10, 32

2012-03242 BAYROOT LLC
ATK GIL GRANT Unnamed Stream

COMPLETE NOTIFICATION:
Atkinson Gilmanton Grant, Tax Map #1628, Lot #2

2012-03243 BAYROOT LLC
DIX GRANT Unnamed Stream

COMPLETE NOTIFICATION:
Dix Grant, Tax Map #1626, Lots #10, 32

2012-03244 BAYROOT LLC
DIXVILLE Unnamed Stream

COMPLETE NOTIFICATION:

Dixville, Tax Map #1626, Lots #2, 9

2012-03261 BARTLEY, ANNE
WAKEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Wakefield, Tax Maps #229, 230, Lots #2, 1

2012-03262 BARTLEY, ANNE
MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton, Tax Map #5, Lots #3, 23

2012-03263 TOWN OF SANBORNTON
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton, Tax Map #11, Lot #71

2012-03265 US FOREST SERVICE
BETHLEHEM Unnamed Stream

Conservation Commission/Staff Comments:
White Mountain National Forest Timber Harvest in Bethlehem, Carroll, and Crawford's Purchase. US Tracts 945, 981, 1068, and 1068A.

COMPLETE NOTIFICATION:
Bethlehem, Carroll, Crawford's Purchase, US Tracts 945, 981, 1068, 1068A

2012-03280 DEMOS, MARGRET
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich, Tax Map #R20, Lot #3

2012-03281 NH DRED
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Winchester, Tax Map #11, Lot #17

2012-03285 MARTIN, MICHAEL
HOPKINTON Unnamed Stream

COMPLETE NOTIFICATION:
Hopkinton, Tax Map #240, Lots #4, 5

2012-03286 TELLMAN, DAVID/TANYA
WHITEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Whitefield, Tax Map #250, Lot #9

EXPEDITED MINIMUM

2011-01468 SEYMOUR, THOMAS
ALTON Lake Winnepesaukee

Requested Action:

The Applicant requests that the permit be amended to include repair of an existing 38 feet of retaining wall.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

DENY AMENDMENT:

Deny the request to amend the permit issued for installation of a seasonal dock, steps in the bank, 2 seasonal PWC lifts, 2 seasonal boat lifts within existing slips, and a seasonal canopy on an average of 141 ft of frontage along Lake Winnepesaukee, in Alton to include repair of 38 feet of existing retaining wall.

With Findings:

Standards for Approval

1. Pursuant to Rule Env-Wt 501.02, (c), (1), the applicant shall submit plans showing the general shape of the shoreline including the length of frontage and the full water body elevation for projects affecting surface water shoreline.
2. Pursuant to Rule Env-Wt 501.02, (c), (2), the applicant shall submit plans showing the footprint of all existing and proposed structures on the property.
3. Pursuant to Rule Env-Wt 501.02, (a), (2), (s), the applicant shall submit the information required by Part Env-Wt 404 if the project involves construction of a shoreline rip-rap slope, retaining wall, or other bank stabilization structure.
4. In accordance with Rule Env-Wt 404.05, (a), (2), applications for walls shall include cross-section and plan views of the proposed installation and sufficient plans to clearly indicate the relationship of the project to fixed points of reference, abutting properties, and features of the natural shoreline.
5. In accordance with Rule Env-Wt 404.05, (a), (3), walls on great ponds or water bodies where the state holds fee simple ownership shall be located on the shoreward side of the normal high-water shoreline.

Findings of Fact

1. On July 19, 2011, Permit #2011-1468 to "(i)nstall a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete pad, construct a 4

ft wide x 5 ft long steps in the bank above full lake elevation, on an average of 141 ft of frontage, Lake Winnepesaukee, Alton" was approved.

2. On November 30, 2011, an amendment to "add 2 seasonal PWC lifts, 2 seasonal boat lifts, a 12 ft x 30 ft seasonal canopy and relocate the steps in the bank to the south on Lake Winnepesaukee, Alton" was approved.
3. On May 03, 2012, the permit was transferred to reflect the change in ownership to the current applicant.
4. On September 07, 2012, an amendment request was submitted by the applicant to amend the permit to repair the existing rock wall on the frontage.
5. On September 25, 2012, the Department issued a Request for More Information letter requesting plans of the existing and proposed conditions including cross sections of the existing and proposed conditions and an overview of the frontage to include the distance to property lines, abutter 20 foot setbacks, limits of work, and temporary impacts associated with the wall repair relative to fixed points and the location of the reference line at full lake elevation."
6. The applicant submitted a response on October 09, 2012. This response included a sketch of the frontage which was not drawn to scale. This sketch did not include the location of a wall on the frontage.
7. On October 30, 2012, the Department issued a second Request for More Information letter reiterating the previous request for a plan of the existing and proposed conditions.
8. On December 03, 2012, the Department received a response with a plan. The plan submitted was the same overview plan as previously submitted with the prior response. This plan did not include the location of a wall on the frontage.

Rulings in Support of Denial

1. The applicant did not submit plans clearly indicating existing and proposed conditions on the frontage pursuant to Rule Env-Wt 501.02, therefore the amendment request is denied.

2012-03025

MCNEAL, RHONDA

CONCORD

Requested Action:

Temporarily impact 1,350 sq. ft. of forested wetlands and drainage area to remove debris (man-made), add native plantings and a small stone weir to enhance an existing wetland area.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application.

APPROVE PERMIT:

Temporarily impact 1,350 sq. ft. of forested wetlands and drainage area to remove debris (man-made), add native plantings and a small stone weir to enhance an existing wetland area.

With Conditions:

1. All work shall be in accordance with plans by Rhonda McNeal, as received by DES on November 19, 2012.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
9. Construction equipment (if not conducted by hand) shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor (if not conducted by hand) shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The work is being conducted to clean-up and enhance a disturbed wetland area.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2012-03046 CONWAY, ANN/CHRIS
PETERBOROUGH**

Requested Action:

Dredge 2,968 square feet of wet meadow for pond construction.

APPROVE PERMIT:

Dredge 2,968 square feet of wet meadow for pond construction.

With Conditions:

1. All work shall be in accordance with plans by Meridian land Services, Inc., dated November 06, 2012, as received by the Department on November 20, 2012.
2. All work shall be done in frozen or low flow conditions.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall be staged and refueled in upland areas.
5. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
7. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), construction of a pond with less than 20,000 square feet of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-03120 GOULD, LOIS
SUNAPEE Sunapee Lake

Requested Action:

Remove and replace 3 seasonal docks described as follows: a 4 ft. 6 in. x 73 ft. 7 in. dock; a 5 ft. x 115 ft. seasonal dock connected to a 7 ft. x 28 ft. permanent dock; and a 4 ft. 6 in. x 149 ft. 6 in. seasonal dock, on an average of 88 ft. of shoreline frontage along Lake Sunapee, in Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Wet Application

APPROVE PERMIT:

Remove and replace 3 seasonal docks described as follows: a 4 ft. 6 in. x 73 ft. 7 in. dock; a 5 ft. x 115 ft. seasonal dock connected to a 7 ft. x 28 ft. permanent dock; and a 4 ft. 6 in. x 149 ft. 6 in. seasonal dock, on an average of 88 ft. of shoreline frontage along Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Pierre J Bedard dated October 24, 2012, as received by the NH Department of Environmental Services (DES) on November 30, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The applicant has an average of 88 feet of shoreline frontage along Lake Sunapee.
3. The proposed replacement of the docking structures will result in no increase in the number of boat slips, as defined per RSA 482-A:2, VIII, provided on the frontage.

2012-03128 LOON WATCH CONDOMINIUM
MEREDITH

Requested Action:

Place 115 sq. ft. of rip on approximately 18 linear feet of shoreline along Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

Con Com signed Wet applicaiton

APPROVE PERMIT:

Place 115 sq. ft. of rip on approximately 18 linear feet of shoreline along Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated October 22, 2012, as received by the NH Department of Environmental Services (DES) on November 30, 2012.
2. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Work shall be done during low flow.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
6. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects which disturb less than 50 linear feet along the shoreline of a lake.

2012-03215 TONONIS, HARRY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair a 12 ft. 11 in. x 57 ft. 2 in. permanent dock supported by a full crib, repair "W" shaped permanent docking structure consisting of a 10 ft. 10 in. x 57 ft. 4 in. dock supported by a full crib connected to a 5 ft. 8 in. x 46 ft. 3 in. dock supported by a full crib with a 3 ft. 2 in. wide center dock with a 36 ft. 5 in. x 46 ft. 3 in. boathouse over the docking structure, repair 40 linear feet of retaining wall on the landward side of a beach area, on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Repair a 12 ft. 11 in. x 57 ft. 2 in. permanent dock supported by a full crib, repair "W" shaped permanent docking structure consisting of a 10 ft. 10 in. x 57 ft. 4 in. dock supported by a full crib connected to a 5 ft. 8 in. x 46 ft. 3 in. dock supported by a full crib with a 3 ft. 2 in. wide center dock with a 36 ft. 5 in. x 46 ft. 3 in. boathouse over the docking structure, repair 40 linear feet of retaining wall on the landward side of a beach area, on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated December 04, 2012, as received by the NH Department of Environmental Services (DES) on December 13, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of

- the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
 4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
 5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
 7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
 8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
 9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

GOLD DREDGE

2012-03266 SCHULTE, THOMAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-03270 TETREAULT, NORMAN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2012-03272 SARGENT, KEVIN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

PERMIT BY NOTIFICATION

**2012-03197 CENTER BARNSTEAD, TOWN OF
BARNSTEAD Unnamed Wetland**

Requested Action:

Temporarily impact 53 square feet of wetlands to install a residential water line.

Conservation Commission/Staff Comments:

Barnstead Con. Com. signed PBN

PBN IS COMPLETE:

Temporarily impact 53 square feet of wetlands to install a residential water line.

**2012-03230 CAMPTON ELEMENTARY SCHOOL
CAMPTON**

Requested Action:

Proposal to dredge and fill (with erosion stone) 210 square feet, 250 linear feet of an existing drainage ditch/stream.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICATION:

Disqualify proposal to dredge and fill (with erosion stone) 210 square feet, 250 linear feet of an existing drainage ditch/stream.

With Findings:

1. Env-Wt 506.01 Projects Qualifying for Permit by Notification.

- (1) The construction or modification of a seasonal pier or wharf, located on a stream or river, that meets the criteria in Env-Wt 303.04(a);
- (2) The repair or replacement of an existing retaining wall that meets the criteria in Env-Wt 303.04(c);
- (3) Maintenance dredging that meets the criteria in Env-Wt 303.04(k);
- (4) The construction of a temporary cofferdam and other water control devices that meets the criteria in Env-Wt 303.04(l);
- (5) The repair of an existing docking structure that meets the criteria in Env-Wt 303.04(v);
- (6) The excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w);
- (7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x);
- (8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z);
- (9) The replenishment of an existing beach that meets the criteria in Env-Wt 303.04(aa);
- (10) The construction of an anchoring pad for a seasonal dock that meets the criteria in Env-Wt-303.04(ab);
- (11) The installation of a seasonal boatlift that meets the criteria of Env-Wt 303.04(ac);
- (12) The installation of a personal watercraft lift that meets that criteria of Env-Wt 303.04(ad);
- (13) The installation of a residential utility line that meets the criteria of Env-Wt 303.04(ae);
- (14) Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).

2. The proposal does not meet the requirements Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided that:

- (1) The work is done within the original bounds of a legally-constructed project;
 - (2) The project is not located in or adjacent to prime wetlands;
 - (3) The work does not exceed 20,000 square feet; and
 - (4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.02;
- 3. Review of the plans found the proposal to place rip-rap in the channel. For work involving placing rip-rap in a stream channel,**

for approximately 250 linear feet, a standard dredge and fill application must be submitted, and may be classified as a Major project.

4. The department recognizes the need for the maintenance dredge, however, the proposed activities do not qualify for the Permit By Notification process.

2012-03249 RICHARD E MARRIOTT QUAL PERSONAL RESIDENCE TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Replenish beach with less than 7 cubic yards of sand above full lake elevation.

Conservation Commission/Staff Comments:

Con Con submitted comments with concerns about sand erosion into waterbody

PBN IS COMPLETE:

Replenish beach with less than 7 cubic yards of sand above full lake elevation.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of an existing beach.